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Date: June 24, 2003

Docket No.: 0020-5123P

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional ☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/714,143 filed on November 17, 2000, which is a continuation of prior Application No. 09/004,925, which issued as U.S. Patent No. 6,172,382 on January 9, 2001, the entire contents of which are hereby incorporated by reference, by

Shinichi NAGAHAMA; Masayuki SENOH; and Shuji NAKAMURA

for

NITRIDE SEMICONDUCTOR DEVICE

1. ☒ Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2. ☒ The filing fee has been calculated as follows:

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			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$750.00	\$375.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	37-20 =	17	x 18 = \$306.00	x 9 = \$0.00
INDEPENDENT CLAIMS	6-3 =	3	x 84 = \$252.00	x 42 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
TOTAL			\$1308.00	\$0.00

3. ☒ A check in the amount of \$1308.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. ☒ --This application is a ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending Application No. 09/714,143, filed on November 17, 2000, which is a continuation of prior Application No. 09/004,925, which issued as U.S. Patent No. 6,172,382 on January 9, 2001, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. 9-001937 filed in Japan on January 9, 1997; 9-012707 filed in Japan on January 27, 1997; 9-102793 filed in Japan on April 3, 1997; 9-134210 filed in Japan on May 26, 1997; 9-244342 filed in Japan on September 9, 1997; 9-274438 filed in Japan on October 7, 1997; and 9-311272 filed in Japan on October 27, 1997 under 35 U.S.C. § 119.--
- b. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/714,143, filed on November 17, 2000 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/714,143 is the national

phase of PCT International Application No. PCT/____/____ filed on ____ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. ____ filed in ____ on ____ under 35 U.S.C. § 119.--

6. ☒ Enclosed is/are nine (9) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 09/714,143 on _____. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to Nichia Chemical Industries, Ltd., 491-100, Oka, Kaminakacho, Anan-shi, Tokushima 774-0044, Japan.
9. ☒ A Preliminary Amendment is enclosed.
- 10a. ☒ Priority of Application No(s). 9-001937 filed in Japan on January 9, 1997; 9-012707 filed in Japan on January 27, 1997; 9-102793 filed in Japan on April 3, 1997; 9-134210 filed in Japan on May 26, 1997; 9-244342 filed in Japan on September 9, 1997; 9-274438 filed in Japan on October 7, 1997; and 9-311272 filed in Japan on October 27, 1997 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on August 13, 1998.
- 10b. ☐ Priority of International Appln. ____ filed on ____ under the Patent Cooperation Treaty and ____ Application No. ____ filed in ____ on ____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:
- BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000
or
Customer No. 002292

13. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/714,143 in order to establish co-pendency with the present application.
14. ☐ Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP


By _____
D. Richard Anderson, #40,439

lur
DRA/CMV/jdm
0020-5123P

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Attachment(s)

(Rev. 04/30/03)